

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

EVONNE FAGLER,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

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No. 4:14CV1956 RLW

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Application for Award of Attorneys' Fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412 (ECF No. 16). Defendant has no objection to Plaintiff's request.

On March 14, 2016, the undersigned reversed the Commissioner's decision and remanded Plaintiff's case for further proceedings. Plaintiff now seeks attorney's fees in the amount of \$3,193.31, which represents 16.8 hours of attorney work. Defendant filed a response to Plaintiff's motion, stating that she has no objection to an award of EAJA fees of \$3,193.31 to be paid by the Social Security Administration.

In EAJA actions, the district court has the authority to award reasonable and necessary expenses associated with adjudicating a claim for social security benefits. *Kelly v. Bowen*, 862 F.2d 1333, 1335 (8th Cir. 1988). The Court finds that Plaintiff is entitled to EAJA fees in the amount of \$3,193.31, payable to the Plaintiff as the prevailing party. *Astrue v. Ratliff*, 560 U.S. 586, 593 (2010) (holding that EAJA fees are payable to the prevailing party and may be subject to offset to satisfy any pre-existing debt owed to the United States).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Application for Award of Attorneys' Fees under the Equal Access to Justice Act (ECF No. 16) is **GRANTED** in the amount of Three Thousand One Hundred Ninety-Three Dollars and Thirty-One Cents (\$3,193.31) to be paid by the Social Security Administration.

IT IS FURTHER ORDERED that said award shall be made payable to the Plaintiff.

Dated this 5th day of May, 2016.

A handwritten signature in cursive script that reads "Ronnie L. White". The signature is written in black ink and is positioned above a horizontal line.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE